

**Minutes of the Special Meeting of the Maple-Steele Joint Water Resource District
August 28, 2012**

**Special Meeting 9:00 a.m., at the offices of Moore Engineering, and by telephone
conference**

Present, Chairman Jurgen Suhr, Gerald Melvin, Greg Thykeson, Josh Ihry (participating by phone), Rodger Olson (participating by phone), Michael Opat, Christopher McShane, and Sara Nyhus-Wear.

Right of Entry for Upper Maple River Dam

1. Chairman Suhr called the meeting to order at 9:00 a.m.
2. Mr. Opat presented regarding the need to enter certain properties in conjunction with the proposed Upper Maple River Dam project. It was explained that certain surveys are necessary before the project is approved or constructed. One of the surveys to be completed is a delineation of wetlands on properties impacted by the proposed project, and the survey of wetlands must be conducted during the growing season. Therefore, prompt access to these properties is necessary to ensure this survey is completed this year. Mr. Opat's presentation went further to describe the cultural resources surveys that also must be conducted on properties impacted by the project, and a notification process the Board must undergo before conducting the surveys.
3. Mr. Opat explained that verbal permission to access those properties requiring surveys has been obtained from all of the land owners, except one. The remaining land owner is Gail Washburn who owns the East Half (E½) of Section 26, Township 144 North, Range 56 West.
4. Mr. McShane presented information regarding the right to enter property prior to utilizing the power of eminent domain, and the process that the Maple-Steele Joint Water Resource District must follow to obtain judicial recognition of its right to enter the property of Ms. Washburn for the purpose of conducting surveys in conjunction with the Upper Maple River Dam project.

Motion, passed. Member Thykeson moved and member Melvin seconded to adopt the Resolution of Necessity - Access Upon Certain Real Property, a copy of which is attached. A discussion of the Resolution of Necessity followed regarding whether a formal request for the right to enter the property of Ms. Washburn would be made, and the time frame for obtaining judicial recognition of the Board's right to enter.

On a roll call vote, the motion passed unanimously.

Motion, passed. Member Melvin moved and member Thykeson seconded to adjourn at 9:22 a.m.

On a roll call vote, the motion passed unanimously.